

REMARKS

Claims 1-12 are all the claims pending in the application. By this Amendment, Applicant amends claims 1-12.

Preliminary Matters

Applicant thanks the Examiner for acknowledging the claim of foreign priority under 35 U.S.C. § 119(a)-(d) and for initialing and returning the Forms PTO/SB/08 submitted with the Information Disclosure Statements filed on June 23, 2006, October 5, 2007, and March 7, 2008.

Claim Rejections - 35 U.S.C. § 103

Claims 1-12 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Gebhardt et al. (U.S. Patent 7,222,155, hereinafter "Gebhardt") in view of Chan et al. (U.S. Patent 6,927,806, hereinafter "Chan"). Applicant respectfully traverses the rejection.

Claims 1-6

In the Office Action, the Examiner asserts that the combination of Gebhardt and Chan allegedly teaches all the features of claim 1. Specifically, the Examiner concedes that Gebhardt fails to teach or suggest extracting broadcast application data of a channel that is not currently being watched by a user. However, the Examiner asserts that Chan allegedly cures the deficient disclosure of Gebhardt. *See* Office Action, p. 3.

However, neither Gebhardt nor Chan, taken alone or in combination teach or suggest "a data filter which, while a user watches a first channel of a broadcast stream, extracts broadcast application data corresponding to a second channel of the broadcast stream from the broadcast stream," as recited in claim 1. Rather, Gebhardt is merely directed to the extraction of broadcast data corresponding to a current channel. *See* Gebhardt, Abstract, col. 13, ll. 14-17. Chan is

merely directed to the extraction of broadcast data from a first broadcast stream using a first tuner and the extraction of broadcast data from a second broadcast stream using a second tuner. *See* Chan, Abstract. As a result, at best, the combination of Gebhardt and Chan describes extracting multiple broadcast data from multiple broadcast streams using multiple tuners.

Accordingly, the combination of Gebhardt and Chan neither teaches nor suggests “a data filter which, while a user watches a first channel of a broadcast stream, extracts broadcast application data corresponding to a second channel of the broadcast stream from the broadcast stream,” as recited in claim 1. Instead, at best, such a combination might contemplate extracting a first broadcast data from a first broadcast stream, which is being viewed by a user, and extracting second broadcast data from a second broadcast stream, which is not being viewed by a user. Indeed, the combination of Gebhardt and Chan does not teach or suggest “while a user watches a first channel of a broadcast stream” extracting “broadcast application data corresponding to a second channel” from the same broadcast stream.

As a result, the combination of Gebhardt and Chan fails to teach or suggest “a data filter which, while a user watches a first channel of a broadcast stream, extracts broadcast application data corresponding to a second channel of the broadcast stream from the broadcast stream,” and hence the combination of Gebhardt and Chan fails to teach or suggest all the features of claim 1. Therefore, claim 1 and its dependent claims would not have been rendered unpatentable by the combination of Gebhardt and Chan for at least these reasons.

Claims 7-12

Independent claim 7 recites features similar to those discussed above regarding claim 1, and hence claim 7 and its dependent claims also would not have been rendered unpatentable by the combination of Gebhardt and Chan for at least analogous reasons.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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